

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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Operating Engineers Local #49 Health and  
Welfare Fund, Central Pension Fund of the  
International Union of Operating Engineers and  
Participating Employers, Local #49 International Union  
of Operating Engineers and Associated General  
Contractors of Minnesota Apprenticeship and Training  
Program, and their Trustees,

Civil No. 10-3854 (RHK/JJK)

**ORDER FOR DISMISSAL**

Plaintiffs,

vs.

D.M.J. Corporation and Dale Johnson, individually,

Defendants.

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Pursuant to the Notice of Dismissal (Doc. No. 5), **IT IS ORDERED** that this  
matter is **DISMISSED WITHOUT PREJUDICE** and without costs to either party.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated: February 28, 2011

s/Richard H. Kyle  
RICHARD H. KYLE  
United States District Judge